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J. S. Schenck

Docket No. 64081/JPW/AJM/MVM

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Bernard F. Erlanger and Bi-Xing Chen

Serial No.: 10/618,179

Filed : July 11, 2003

For : COMPOSITIONS AND METHODS FOR THE INTRACELLULAR
DELIVERY OF ANTIBODIES

1185 Avenue of the Americas
New York, New York 10036
December 22, 2003

Mail Stop: Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

**AMENDMENT IN RESPONSE TO NOVEMBER 3, 2003 NOTICE
TO FILE MISSING PARTS OF APPLICATION - FILING DATE GRANTED**

This Amendment is submitted in response to a November 3, 2003 Notice to File Missing Parts of Application - Filing Date Granted issued by the United States Patent and Trademark Office in connection with the above-identified application. Applicants attach hereto a copy of the Notice as Exhibit A. The Notice provides a period of two months for filing a response. Therefore a response is due on January 3, 2004. Accordingly, this Amendment is being timely filed.

Please amend the subject application as follows:

Applicants: Bernard F. Erlanger and Bi-Xing Chen
Serial No: 10/618,179
Filed: July 11, 2003
Page: 3

13mARv5

The November 3, 2003 Notice to File Missing Parts of Application indicates that the oath or declaration is unsigned. In response, applicants submit as Exhibit B a signed Declaration and Power of Attorney pursuant to 37 C.F.R. §1.53(f). In compliance with 37 C.F.R. §1.63, the Declaration refers to the application's above-identified serial number and filing date.

In addition, the November 3, 2003 Notice states that the subject application clearly fails to comply with the requirements of 37 C.F.R. §1.821 - §1.825. The Notice states that applicant must provide: 1) an initial computer readable form (CRF) copy of the "Sequence Listing"; 2) a paper or compact disc copy of the "Sequence Listing"; 3) a statement that the content of the paper and computer readable copies are the same and, where applicable, include no new matter, as required by 37 C.F.R. §1.821(e), §1.821(f), §1.821(g), §1.825(b), §1.825(d); and 4) an amendment directing its entry into the application.

In response, applicants without conceding the correctness of the Examiner's position but to expedite prosecution of the subject application enclose a computer diskette containing the sequence listing in computer readable form. Applicants attach hereto, as Exhibit C a paper copy of the computer readable form of the sequence listing. Applicants attach hereto as Exhibit D a Statement in Compliance with 37 C.F.R. §1.821(f) certifying that the computer readable form contains the same information as the paper copy of the sequence listing attached as Exhibit C. The sequence listing does not contain any new matter.

Finally, the Notice indicates that to avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 C.F.R. §1.16(e) of \$65.00 in compliance with 37 C.F.R. §1.27, must be submitted with the missing items identified in this

Applicants: Bernard F. Erlanger and Bi-Xing Chen
Serial No: 10/618,179
Filed: July 11, 2003
Page: 4

letter. Accordingly, applicants enclose a check which includes this amount.

In addition, in the event that the United States Patent and Trademark Office charged any fees in addition to those required for a small entity, applicants hereby request a refund for any such fees. This refund should be credited to Deposit Account No. 03-3125 under Docket No. 64081.

If a telephone interview would be of assistance in advancing prosecution of the subject application, applicants' undersigned attorneys invite the Examiner to telephone them at the number provided below.

No fee, other than the enclosed \$65.00 surcharge fee, is deemed necessary in connection with the filing of this Amendment. If any additional fee is required, authorization is hereby given to charge the amount of any such fee to Deposit Account No. 03-3125.

Respectfully submitted,

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I hereby certify that this correspondence is being deposited this date with the U.S. Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop: Missing Parts, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

12/22/03
Alan J. Morrison
Reg. No. 37,399

Date